

St. Louis City and St. Louis County Impose Heightened COVID-19 Restrictions on Employers, Businesses, and Social Gatherings

Labor & Employment Law Update

on November 18, 2020

The State of Missouri has continued to resist imposing significant state-wide orders to combat the spread of COVID-19. However, with positivity rates on the rise and pressure increasing on health providers throughout the state, some localities have recently enacted enhanced restrictions on businesses and social gatherings to combat the spread.

One such locality is **St. Louis County**, which enacted the following health orders, which went into effect on Tuesday, November 17, 2020:

- November 12, 2020 – “Safer At Home” Order
 - Residents are required to stay at home, unless to travel to and from work and other limited specific purposes such as shopping for groceries, education purposes or obtaining medical care
 - Social gatherings are limited to no more than 10 persons
 - Aside for defined business exceptions such as hospitals, public transit and schools, all businesses providing goods and services are limited to 25% or less of its permitted occupancy; all employees are required to wear face coverings and comply with social distancing requirements
 - Restaurants are limited to providing outdoor service, carryout and delivery
- November 12, 2020 – Third Amended Quarantine and Isolation Procedures Order
 - All residents are required to regularly self-observe for COVID-19 symptoms and if, at any time, a person develops such symptoms, they are required to self-isolate, limit contact with others and seek medical advice and/or be tested for COVID-19
 - Residents who have been in close contact with COVID-19 positive individuals or who them themselves been exposed to COVID-19 is

instructed to quarantine for a period of 15 days after the last exposure

- *Individuals in quarantine are permitted to walk outside, but are instructed to wear face coverings and not go within 6 feet of others*
- Residents who test positive and/or who have COVID-19 symptoms and who are awaiting results are instructed to isolate until cleared by the Department of Public Health for a period of 10 to 14 days, depending on individual factors
- *Individuals in quarantine are permitted to walk outside, but are instructed to wear face coverings and not go within 6 feet of others*
- November 12, 2020 – Second Amended Order Requiring Members of Public and Employees to Wear Face Coverings – “Strengthened Face Covering/Mask Order”
 - Face masks are required to be worn at all times by:
 - Anyone over the age of 5 years old when present at any business or public accommodation (indoor or outdoor)
 - Anyone over the age of 5 years old in public spaces when anyone outside that person’s household is present
 - All students from kindergarten through high school, except for defined exceptions such as when eating meals or playing sports in compliance with the department’s youth sport guidelines
 - Anyone working out at a gym or fitness facility
 - Face masks are not required to be worn by:
 - Children under the age of 2
 - Children between the ages of 3 and 5 when supervised by an adult
 - Anyone with health conditions which prohibit wearing a mask, or who have trouble breathing while wearing a mask
 - Anyone at a restaurant or public accommodation when eating or drinking, while still maintaining social distance requirements of separate orders
 - Anyone playing a sport or exercising alone
- November 13, 2020 – FAQ – What are the New Public Health Orders and What do They Mean for Me?

While not as extensive, **St. Louis City** also issued an additional order this week, which went into effect on November 14, 2020. Specifically, it reaffirmed all prior orders already in effect in the city and further placed the following restrictions on private gatherings:

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- Private gatherings of more than 10 attendees are prohibited
- The city recommends any gatherings with less than 10 attendees be limited to no more than 1-2 households, and that those households remain consistent throughout the gathering
- The order further clarifies that it also applies to businesses, schools and government offices, all of which are still required to require face masks and to require social distancing and hygiene measures of employees and other individuals

As has been the case throughout the pandemic, these measures are always subject to modification based on conditions and potential legal challenges. That is especially true in Missouri where localities are enacting their own sometimes-inconsistent orders in the absence of state-wide measures. Accordingly, Missouri employers should consult with experienced labor and employment counsel to ensure that they are in compliance with all current state, city/local and county-wide orders.

This blog will continue to monitor those developments and update as needed.

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